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EXAMINER

ZHONG, CHAD

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/715,453

Applicant(s)

DUNN ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 27-31 and 53-58 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 and 32-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one for following inventions is required under 35 U.S.C. 121:

I. Claims 1-26, 32-52, drawn to the caching of hypermedia in a computer communication network, classified in class 711, subclass 147. select group 1.

II. Claims 27-31, drawn to the caching of hypermedia in a TV/Set Top box network, classified in class 711, subclass 161.

III. Claims 53-58, drawn to the fee based content caching system, classified in class 705, subclass 402.

The inventions are distinct, each from the other because of the following reasons. Invention I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I has separate utility such as in a system lacking the caching of hypermedia in a TV/Set Top box network and the fee based content caching system. Invention II has separate utility such as in a system lacking the fee based content caching system, particulars, See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, different searches and their recognized divergent subject matter, and the search required for group I is not required for group II, restriction for examination purposes as indicated is proper.

During a telephone conversation with Mr. Kevin Cuenot, on February 26, 2004 a provisional election was made with traverse to prosecute the invention of I, claims 1-26 and 32-52. Applicant in responding to this Office Action must make affirmation of this election. Claims 27-31 and 53-58 are withdraw from further consideration by examiner, 37 CFR 1. 142(b), as being draw to a non-elected invention.

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**DETAILED ACTION**

1. Claims 1-26, 32-52 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 6-9, 13, 16, 18, 20, 22-26, 32-34, 37-40, 44, 47, 49, 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Unger et al. (hereinafter Unger), US 6,230,168.

4. As per claims 1 and 32, Unger teaches a hypermedia content presentation method comprising:

presenting hypermedia content, said hypermedia content containing hyperlinks to additional hypermedia content (Col. 1, lines 50-54; Col. 2, lines 10-13);

storing selected ones of said hyperlinks in a delayed viewing list (Col. 1, lines 50-54; Col. 2, lines 10-13); and

caching hypermedia content associated with said stored hyperlinks during said presenting step (Col. 2, lines 10-13; Col. 4, lines 18-29; Col. 7, lines 62-67).

5. As per claims 2 and 33, Unger teaches the method of claim 1 and 32 respectively, further comprising reconfiguring said stored hyperlinks to point to said cached hypermedia content (Col. 6, line 65 – Col. 7, line 1; Col. 7, lines 47-51).

6. As per claims 3 and 34, Unger teaches the method of claims 1 and 32 respectively, wherein said

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presenting step comprises displaying Web content in a Web browser, said Web content containing hyperlinks to additional Web content (Col. 1, lines 55-56).

7. As per claims 6 and 37, Unger teaches the method of claims 1 and 32 respectively, wherein said caching step comprises caching hypermedia content in a server communicatively linked to said content browser (Col. 12, lines 6-10).

8. As per claims 7 and 38, Unger teaches the method of claims 1 and 32 respectively, wherein said caching step comprises caching hypermedia content in a local cache communicatively linked to said content browser (Col. 12, lines 6-10).

9. As per claims 8 and 39, Unger teaches the method of claims 1 and 32 respectively, wherein said caching step comprises:

evaluating available system resources; and

based upon said evaluation, caching said further hypermedia content in a proxy cache where downloading said further hypermedia content to a local cache can constrain local resources (Col. 16, lines 36-42, lines 54-67).

10. As per claims 9 and 40, Unger teaches the method of claims 1 and 32 respectively, wherein said caching step comprises:

evaluating available system resources; and,

based upon said evaluation, downloading said hypermedia content associated with said stored hyperlinks to a hypermedia content cache when said system resources are available, and delaying said downloading when said system resources are constrained (Col. 16, lines 36-42, lines 54-67).

11. As per claims 13 and 44, Unger teaches the method of claims 1 and 32 respectively, further comprising adapting said cached hypermedia content for full text searching in a full text search engine

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(Col. 1, lines 56-65).

12. As per claims 16 and 47, Unger teaches the method of claims 1 and 32 respectively, further comprising manually managing selected hyperlinks in said delayed viewing list (Col. 4, lines 18-29).

13. As per claims 18 and 49, Unger teaches the method of claims 1 and 32 respectively, further comprising:

selecting hyperlinks in said delayed viewing list (Col. 4, lines 18-30); and

presenting cached hypermedia content associated with said selected hyperlink (Col. 7, lines 47-50; Col. 7, lines 62-67; Col. 15, lines 48-57).

14. As per claims 20 and 51, Unger teaches the method of claims 1 and 32 respectively, further comprising manually managing said cached hypermedia content (Col. 6, lines 65-67; Col. 7, lines 47-51).

15. As per claim 22, Unger teaches a hypermedia content presentation system comprising:

a content browser for presenting hypermedia content to a user;

a content cache for storing further hypermedia content related to said hypermedia content presented in said content browser (Col. 2, lines 10-16);

a delayed viewing list for storing hyperlinks to said further hypermedia content in said content cache, said hyperlinks contained in said hypermedia content presented in said content browser (Col. 1, lines 50-54); and

a delayed viewing list manager;

said delayed viewing list manager downloading said further hypermedia content to said content cache during said presentation of said hypermedia content in said content browser (Col. 15, lines 47-57; Col. 16, lines 36-41, lines 54-67).

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16. As per claim 23, Unger teaches the hypermedia content presentation system of claim 22, wherein said content browser is a Web browser and said hypermedia content is Web content (Col. 4, lines 18-29).

17. As per claim 24, Unger teaches the hypermedia content presentation system of claim 22, wherein said content cache is a local cache associated with said content browser (Col. 12, lines 7-10).

18. As per claim 25, Unger teaches the hypermedia content presentation system of claim 22, wherein said content cache is a proxy cache communicatively linked to said content browser (Col. 12, lines 7-10).

19. As per claim 26, Unger teaches the hypermedia content presentation system of claim 22, wherein said delayed viewing list manager further comprises:

a resource sensitive downloading agent;

said resource sensitive downloading agent monitoring available system

resources;

said resource sensitive downloading agent downloading said further hypermedia content to said content cache when system resources are available;

said resource sensitive downloading agent delaying said downloading when said system resources are constrained (Col. 16, lines 35-42, lines 54-67).

*Claim Rejections - 35 USC § 103*

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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21. Claims 4, 19, 35, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger et al. (hereinafter Unger) in view of 'Official Notice'.

22. As per claims 4 and 35, Unger does not explicitly teach the method of claim 3 and 34 respectively, wherein said presenting step further comprises playing back multimedia content in a multimedia content player. However 'Official Notice' it taken by the Examiner that a multimedia content player is notoriously well known. It would have been obvious to have used a multimedia content player for playing movie clips for the current invention, because doing so would be less burdening for the browsers to attempt to play the clips themselves, through the use of a multimedia content player, we alleviate more resources from the browser.

23. As per claims 19 and 50, Unger does not teach the method of claims 1 and 32 respectively, further comprising:

selecting hyperlinks in said delayed viewing list; and,

adding said selected hyperlinks to a list of bookmarks in a content browser.

However 'Official Notice' it taken by the Examiner that adding links to a content browser is notoriously well known. It would have been obvious to have selected a link from the list and add the link to the 'favorites' sections of bookmark in a content browser for faster access of the link for the current invention, because doing so would be less burdening for the user attempting locate the link, as the link would be readily available for the client to access within their bookmark.

24. Claims 5, 10-11, 36, 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger et al. (hereinafter Unger) in view of Stern, US 6,486,892.

25. As per claim 5 and 36, Unger does not explicitly teach the method of claims 1 and 32 respectively, wherein said presenting step comprises displaying audiovisual television content combined



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with hypermedia content in a television set.

26. Stern teaches wherein said presenting step comprises displaying audiovisual television content combined with hypermedia content in a television set (Col. 3, lines 2-4).

27. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and Stern because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of Stern to allow wherein said presenting step comprises displaying audiovisual television content combined with hypermedia content in a television set would improve the functionality for Unger's system by extending the similar offline options into television network as well.

28. As per claims 10 and 41, Unger does not explicitly teach the method of claims 1 and 32 respectively, wherein said caching step comprises:

configuring a page depth to which said hyperlinks in said hypermedia content associated with said stored hyperlinks can be followed;

downloading said hypermedia content associated with said stored hyperlinks, said downloaded hypermedia content containing additional hyperlinks to further hypermedia documents;

further downloading said further hypermedia documents, said further hypermedia documents containing further hyperlinks to even further hypermedia documents; and,

repeating said further downloading step until reaching said configured page depth.

29. Stern teaches wherein said caching step comprises:

configuring a page depth to which said hyperlinks in said hypermedia content associated with said stored hyperlinks can be followed;

downloading said hypermedia content associated with said stored hyperlinks, said downloaded

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hypermedia content containing additional hyperlinks to further hypermedia documents;

further downloading said further hypermedia documents, said further hypermedia documents containing further hyperlinks to even further hypermedia documents; and,

repeating said further downloading step until reaching said configured page depth (Col. 6, lines 13-42, lines 53-63; Col. 7, lines 2-6).

30. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and Stern because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of Stern to allow wherein configuring a page depth to which said hyperlinks in said hypermedia content associated with said stored hyperlinks can be followed; downloading said hypermedia content associated with said stored hyperlinks, said downloaded hypermedia content containing additional hyperlinks to further hypermedia documents; further downloading said further hypermedia documents, said further hypermedia documents containing further hyperlinks to even further hypermedia documents; and, repeating said further downloading step until reaching said configured page depth would improve the functionality for Unger's system by allowing the client having the option of specifying the amount and the depth of information he/she wants to retain at the cache.

31. As per claims 11 and 42, Unger does not explicitly teach the method of claims 10 and 41 respectively, further comprising reconfiguring said stored, further and additional hyperlinks to point to associated hypermedia documents stored in said cache.

32. Stern teaches the method of further comprising reconfiguring said stored, further and additional hyperlinks to point to associated hypermedia documents stored in said cache (Col. 6, lines 53-63).

33. It would have been obvious to one of ordinary skill in this art at the time of invention was made

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to combine the teaching of Unger and Stern because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of Stern to allow wherein the method of further comprising reconfiguring said stored, further and additional hyperlinks to point to associated hypermedia documents stored in said cache would improve the functionality and efficiency for Unger's system by allowing the client having the option of viewing all previously downloaded files with the minimum access time.

34. Claims 12, 14-15, 17, 21 43, 45-46, 48, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger et al. (hereinafter Unger) in view of kee<p>oint, hereinafter keepoint.

35. As per claims 12 and 43, Unger does not explicitly teach the method of claims 1 and 32 respectively, wherein said caching step further comprises:

establishing a set of folders having an associated topic; and,

downloading said hypermedia content to selected ones of said set of folders, each folder in said set containing hypermedia content corresponding to a topic associated with said folder.

36. Keepoint teaches wherein said caching step further comprises:

establishing a set of folders having an associated topic; and,

downloading said hypermedia content to selected ones of said set of folders, each folder in said set containing hypermedia content corresponding to a topic associated with said folder (pg 4, "Automatic Organization", lines 1-5).

37. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and keepoint because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of keepoint to allow establishing a set of folders having an associated topic; and downloading said hypermedia content

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to selected ones of said set of folders, each folder in said set containing hypermedia content corresponding to a topic associated with said folder would improve the organization for Unger's system by allowing the folders to divide and sort out different hypermedia contents.

38. As per claims 14 and 45, Unger does not explicitly teach the method of claims 1 and 32 respectively, wherein said storing step further comprises:

associating expiration data with each hyperlink in said delayed viewing list; and,  
purging hyperlinks from said delayed viewing list based on said expiration data.

39. Keepoint teaches wherein said storing step further comprises:

associating expiration data with each hyperlink in said delayed viewing list; and,  
purging hyperlinks from said delayed viewing list based on said expiration data (pg 4, "Keeping Web Pages on Hold", lines 1-6).

40. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and keepoint because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of keepoint to allow associating expiration data with each hyperlink in said delayed viewing list; and, purging hyperlinks from said delayed viewing list based on said expiration data would improve functionality for Unger's system by allowing the clients to view hypermedia contents beyond their expiration dates.

41. As per claims 15 and 46, Unger does not explicitly teach the method of claims 1 and 32 respectively, further comprising purging selected cached hypermedia content.

42. Keepoint teaches purging selected cached hypermedia content (pg 4, "Keeping Web Pages on Hold", lines 1-6).

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43. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and keepoint because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of keepoint to allow purging selected cached hypermedia content would improve efficiency for Unger's system by allowing the cache to be reused once the data from the cache are purged.

44. As per claims 17 and 48, Unger does not teach the method of claims 1 and 32 respectively, further comprising automatically purging selected hyperlinks in said delayed viewing list.

45. Keepoint teaches automatically purging selected hyperlinks in said delayed viewing list (pg 4, "Automatic Organization", lines 1-6).

46. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and keepoint because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of keepoint to allow automatically purging selected hyperlinks in said delayed viewing list would improve efficiency for Unger's system by allowing the link cache to be reused once the data from the links from the link cache are purged.

47. As per claims 21 and 52, Unger does not teach the method of claim 1, wherein said caching step comprises:

determining if a selected hyperlink is associated with hypermedia content having a limited lifetime;

if it is determined that a selected hyperlink is associated with hypermedia content having a limited lifetime, identifying further hypermedia content necessary for viewing said hypermedia content having a limited lifetime, and downloading said hypermedia content having a limited lifetime and said necessary further hypermedia content.

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48. Keepoint teaches wherein said caching step comprises:

determining if a selected hyperlink is associated with hypermedia content having a limited lifetime;  
if it is determined that a selected hyperlink is associated with hypermedia content having a limited lifetime, identifying further hypermedia content necessary for viewing said hypermedia content having a limited lifetime, and downloading said hypermedia content having a limited lifetime and said necessary further hypermedia content (pg 4, "Keeping Web Pages on Hold", lines 1-6).

47. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Unger and keepoint because they both dealing with storing of links and files for user access at a later point in time (i.e. offline browsing). Furthermore, the teaching of keepoint to allow determining if a selected hyperlink is associated with hypermedia content having a limited lifetime; if it is determined that a selected hyperlink is associated with hypermedia content having a limited lifetime, identifying further hypermedia content necessary for viewing said hypermedia content having a limited lifetime, and downloading said hypermedia content having a limited lifetime and said necessary further hypermedia content would improve functionality for Unger's system by allowing the client to have the ability to view hypermedia contents beyond their usual limited life time.

### *Conclusion*

48. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "User Specified Parallel Data Fetching For Optimized Web Access".

- |      |              |          |
|------|--------------|----------|
| i.   | US 6,199,071 | Nielsen. |
| ii.  | WO 00/55741  | Siegel.  |
| iii. | EP 0987639   | Moreau.  |

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ  
March 3, 2004



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
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